

**Memorandum of Understanding
DE-GMO8-99NV13574
The U.S. Department of Energy Nevada Site Office
and
The State of Nevada, Nevada State Library and Archives**

I. INTRODUCTION:

The U.S. Department of Energy, Nevada Site Office (DOE/NSO) and the state of Nevada, Nevada State Library and Archives (NSLA) agree to cooperate in a joint effort, hereinafter referred to as the Northern Nevada Federal Facility Agreement and Consent Order (FFACO) Public Reading Facility. The purpose and general terms of this cooperative Memorandum of Understanding (MOU) are described in the following:

II. PURPOSE:

The purpose of this MOU is to provide a location for the establishment and maintenance of a Public Reading Facility in the northern Nevada area as required under the FFACO. Documents contained in the Reading Facility will be submitted by the DOE/NSO and include documents as listed in Paragraph XVII.4 of the FFACO (See Attachment A).

III. CONDITIONS:

Both the DOE/NSO and the NSLA understand and agree, that:

- A. The State of Nevada, Nevada Division of Environmental Protection and the DOE/NSO have an interest in promoting this MOU because it is a requirement under the FFACO. The public shall benefit through access to information relating to all environmental restoration activities regulated by the FFACO.
- B. Both parties to this MOU shall contribute, within the limits of available staff, to the planning and execution of the work outlined in this MOU.
- C. It is agreed that services provided under this MOU shall be made available to requestors without regard to sex, marital status, race, religion, national origin, or age.
- D. This MOU shall not be used to obligate or commit funds or as the basis for the transfer of funds. There shall be no monetary compensation or payments by any party to this MOU and to any other party for its performance under this MOU.

IV. MOU RESPONSIBILITIES:

The responsibilities of both parties are further described in the *FFACO Public Reading Facility Instruction*, which is part of this MOU. The Instruction may be amended as necessary through the mutual consent of the parties.

A. The NSLA agrees to:

1. Provide staff necessary to support the Northern Nevada FFACO Public Reading Facility as set forth in the FFACO Public Reading Facility Instruction.
2. Provide public space, non-dedicated computer stations, and related services, as consistent with other NSLA reference collections, in support of the Northern Nevada FFACO Public Reading Facility.
3. Maintain the Northern Nevada FFACO Public Reading Facility document collection.
4. Provide public assistance and referral services relating to the Northern Nevada FFACO Public Reading Facility collection, as consistent with other NSLA collections.
5. Store electronic or paper copy of collection index.

B. The DOE/NSO agrees to:

1. Provide copies of documents required by Part XVII.4 of the FFACO for the Northern Nevada FFACO Public Reading Facility collection, including additions, deletions, and revisions to the document collection.
2. Provide NSLA staff with training on the DOE/NSO database system software, as needed.
3. Provide an electronic copy of the document collection index, including annual updates.
4. Receive, catalog and forward FFACO-related documents to the Northern Nevada FFACO Public Reading Facility.
5. Provide the necessary magazine files (shelving boxes) to vertically shelve documents and a DOE collection property stamp.
6. Hold the NSLA and its staff harmless in the event of theft, damage, or improper use of Northern Nevada FFACO Public Reading Facility materials.

V. MUTUALITY TO DRAFT OF MOU:

All terms of this MOU have been negotiated and mutually drafted by the Parties hereto, including consultation with and review by counsel.


VI: AMENDMENT AND TERMINATION:

This MOU shall become effective upon the latter date of signature of both parties and shall be reviewed every five years from the effective date unless otherwise terminated. Any modifications of terms or conditions of this MOU shall be in writing and by mutual consent.


Either party may terminate this MOU, in whole or in part, at any time by giving sixty (60) days prior written notice to the other party. If no such notice is given, the MOU will remain in effect until such date as may be mutually agreed upon. Upon termination of the MOU, the NSLA will forward the collection to the DOE/NSO at DOE/NSO's expense.

IN WITNESS WHEREOF the DOE/NSO and the state of Nevada, Nevada State Library and Archives have, through their duly authorized officials, entered into this MOU as of the date of the last signatory below.

FOR THE DEPARTMENT OF ENERGY:

BY:  10-18-04
K. A. Carlson, Manager (Date)
Nevada Site Office

FOR THE STATE OF NEVADA, NEVADA STATE
LIBRARY AND ARCHIVES:

BY:  10-12-04
Sara Jones, Administrator (Date)
Library and Archives

Federal Facility Agreement and Consent Order

Public Reading Facility Instruction

1.0 PURPOSE

This instruction provides a process for submitting documents to the DOE Federal Facility Agreement and Consent Order (FFACO) Public Reading Facility as required by the FFACO.

2.0 APPLICABILITY

These instructions apply to the U.S. Department of Energy, Nevada Site Office DOE/NSO, and the Defense Threat Reduction Agency (DTRA). This instruction identifies the FFACO Public Reading Facility locations, outlines the roles and responsibilities of key personnel involved, and describes the submittal process.

3.0 DEFINITIONS

- 3.1 Controlled Document - A document that has been uniquely identified and assigned to a specific custodian for the purpose of providing confidence that only approved and current information is being used.
- 3.2 FFACO Document - Any published material(s) and other writings required to be in the Public Reading Facility pursuant to the FFACO, Paragraph XVII.4. These include, but are not limited to, corrective action investigation work plans and reports; corrective action work plans and reports; corrective action decision documents; health assessments; risk assessments; comments and information submitted by the public; National Environmental Policy Act documents; Public Involvement Plan; public notices; and *the Resource Conservation and Recovery Act (RCRA) permit for the Nevada Test Site*. FFACO documents submitted to the FFACO Public Reading Facility must be in final format. FFACO-related documents may be submitted but must be approved by either the DOE or the DTRA.
- 3.3 FFACO Public Reading Facility Coordinator - Individual (DOE or DOE Contractor) responsible for developing the Public Reading Facility collection pursuant to the FFACO.
- 3.4 Northern Nevada FFACO Public Reading Facility - A facility where FFACO-related documents are housed. The Northern Nevada FFACO Public Reading Facility is located at 100 North Stewart Street, Carson City, Nevada, and is maintained in the Nevada State Library and Archives (NSLA).
- 3.5 Northern Nevada FFACO Public Reading Facility Manager - NSLA individual responsible for maintaining the Northern Nevada FFACO Public Reading Facility collection.
- 3.6 Originator - Any individual or organization submitting material(s) to the Public Reading

Facility collection.

- 3.7 Public Reading Facility - A designated area that houses a collection of documents related to a specific project/activity pursuant to specific legislation.
- 3.8 Southern Nevada FFACO Public Reading Facility - A facility where FFACO-related documents are housed. The Southern Nevada FFACO Public Reading Facility is located at 755 East Flamingo Road, Las Vegas, Nevada and is maintained in the Nuclear Testing Archive.
- 3.9 Southern Nevada FFACO Public Reading Facility Manager - Individual responsible for maintaining the Southern Nevada FFACO Public Reading Facility collection.
- 3.10 Uncontrolled Document - Any published material(s)/document(s) that are used for "information only" purposes.

4.0 RESPONSIBILITIES

4.1 Originator

Submits the appropriate number of complete copies, per the DOE/NSO guidance titled *"DOE/NSO FFACO Handbook"* to the FFACO Public Reading Facility.

- a. Provides controlled and uncontrolled FFACO-related documents, including updates and revisions, to the FFACO Public Reading Facilities.
- b. Ensures submitted documents are of good copy quality, and overall condition.
- c. Provides documents to the Southern Nevada FFACO Public Reading Facility for DOE/NSO cataloging.
- d. Provides cataloged documents to the Northern Nevada FFACO Public Reading Facility.

4.2 FFACO Public Reading Facility Coordinator

- a. Works cooperatively with the FFACO Public Reading Facility Managers to support the Public Reading Facility collection.
- b. Verifies that all FFACO-related documents are entered into the DOE/NSO catalog system.

4.3 Southern Nevada FFACO Public Reading Facility Manager

- 1. Works cooperatively with the FFACO Public Reading Facility Coordinator to

develop the FFACO Public Reading Facility collection.

- b. Serves as primary contact for receiving all materials for the FFACO Public Reading Facility including controlled documents.
- c. Oversees cataloging (entering documents into the DOE/NSO catalog system) of all received materials submitted to the FFACO Public Reading Facility collection.
- d. Responsible for public assistance with the collection including copying and releasing uncontrolled copies of controlled document originals.
- e. Works cooperatively with the FFACO Public Reading Facility Coordinator on DOE/NSO's catalog system.

4.4 Northern Nevada FFACO Public Reading Facility Manager

- a. Works cooperatively with the FFACO Public Reading Facility Coordinator to maintain the Northern Nevada Public Reading Facility collection.
- b. Serves as primary contact for receiving all materials for the Northern Nevada FFACO Public Reading Facility.
- c. Responsible for public assistance with the collection as consistent with other NSLA reference collections, including copying and releasing copies of uncontrolled document originals.

5.0 PROCEDURE

The types of documents that shall be included in the FFACO Public Reading Facilities are listed in Paragraph XVII.4 of the FFACO. Other FFACO-related documents proposed for inclusion in the Public Reading Facilities will be reviewed on a case-by-case basis.

5.1 Uncontrolled FFACO Document – Submittal

The distribution of DOE/NSO uncontrolled FFACO documents must be in accordance with the *DOE/NSO FFACO Handbook* issued by DOE/NSO, Environmental Restoration Division. The originators of the FFACO documents will submit the uncontrolled copies to the Nevada FFACO Public Reading Facilities and will send copies of the transmittal letters to the FFACO Public Reading Facility Coordinator.

5.2 Uncontrolled FFACO Document - Updates/Revisions

Revisions and updates of uncontrolled documents must be in accordance with the *DOE/NSO FFACO Handbook*. The originators of the FFACO documents will submit the uncontrolled copies to the Nevada FFACO Public Reading Facilities and will send copies of the transmittal letters to the FFACO Public Reading Facility Coordinator. Upon receiving revisions/additions from the originators of the FFACO documents, the FFACO Public Reading Facility Managers will be responsible for incorporating all revisions/updates into the appropriate documents.

5.3 Controlled FFACO Document - Submittal

The distribution of DOE/NSO controlled FFACO documents must be in accordance with the *DOE/NSO FFACO Handbook*. Controlled FFACO documents to be housed in the Southern Nevada FFACO Public Reading Facilities must be submitted to the reading facility by the originators of the documents who will send a copy of the transmittal letter to the FFACO Public Reading Facility Coordinator. The Northern Nevada FFACO Public Reading Facility will not receive controlled documents. Controlled documents may not leave the collection area at the Southern Nevada FFACO Public Reading Facility.

5.4 Controlled FFACO Documents - Revisions/Updates

Revisions and updates of controlled documents must be in accordance with the *DOE/NSO FFACO Handbook*. The originators of the FFACO documents will submit the controlled copies to the Southern Nevada FFACO Public Reading Facility and will send copies of the transmittal letters to the FFACO Public Reading Facility Coordinator. Upon receiving revisions/additions from the originators of the FFACO documents, the Southern Nevada FFACO Public Reading Facility Manager is responsible for incorporating all revisions/updates into the appropriate documents.